

Application Serial No.: 10/034,043

Amdt. dated January 9, 2006

Reply to Office Action of December 14, 2005

REMARKS

Applicant has elected Group I, Species 1, B(a) for prosecution on the merits. By way of this response, claims 1-23 are now pending in the present application. However, claims 15-18 and 20-23 have been withdrawn pending allowance of a generic claim. Claims 24-54 have been cancelled without prejudice.

Response to Restriction Requirement

On page 2 of the Office action, the Examiner has required a restriction to one of the following inventions under 35 U.S.C. 121:

- I. Claims 1-34, drawn to surgical methods.
- II. Claims 35-54, drawn to a medical apparatus or implant

In response to the restriction requirement, Applicant elects Group I (Claims 1-34) for prosecution on the merits.

Response to Species Election

Because Group I has been elected, the Examiner has further requested that Applicant elect from the following species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable.

- 1) Method of Performing Tranluminal Mitral Annuloplasty
 - A) Locking Step
 - a) moving engagement surface from disengaged to engaged configuration
 - b) providing an interference fit
 - c) providing a threaded engagement
 - B) Monitoring Hemodynamic Function
 - a) transesophageal echo cardiography

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- b) surface echo cardiographic imaging
 - c) intracardiac echo cardiographic imaging
 - d) fluoroscopy with radiocontrast media
 - e) left atrial or pulmonary capillary wedge pressure measurements
- 2) Method of Providing a Therapeutic Compressive Force Against a Tissue Structure
 - A) Tissue structure is the mitral valve annulus
 - B) Tissue structure is the left ventricle
- 3) Method of Performing Annuloplasty of the Mitral Valve

In response to the species election, Applicant hereby provisionally elects Species I, B(a) (i.e., method of performing tranluminal mitral annuloplasty including monitoring hemodynamic function using transesophageal echo cardiography). Claims 1-14 and 19 are readable on the elected species.

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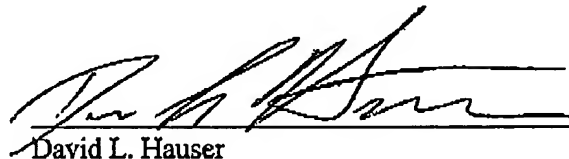
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Conclusion

In light of the foregoing amendments to the claims and the above remarks, Applicants believe that this application is now in condition for allowance. Should the Examiner have any remaining questions, the Examiner is encouraged to contact the attorney of record at the telephone number shown below.

Respectfully submitted,

Date: January 9, 2006

David L. Hauser

Registration No. 42,643

EDWARDS LIFESCIENCES LLC

One Edwards Way

Irvine, California 92614

Telephone: (949) 250-6878

Facsimile: (949) 250-6850

Customer No.: 30452